



34846-PCT-USA (072170.0106)

PATENT

#2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Arsenich, S. I.
Serial No. : Not yet assigned Examiner : Not yet assigned
Filed : Not yet assigned Group Art Unit: Not yet assigned
For STEREOSCOPIC SYSTEM

PETITION TO REVIVE APPLICATION
PURSUANT TO 37 C.F.R. § 1.137(b)

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Commissioner for Patents
BOX PETITION
Washington, D.C. 20231

01/10/2002 MNGUYEN 00000007 10019515

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15 MAR 2002

Legal Coun.
International Division

The above-captioned application filed concurrently herewith became abandoned due to an unintentional failure to file a U.S. national phase application under 35 U.S.C. § 371 for International Patent Application PCT/RU99/00174 within the 30 month deadline (November 25, 2001) for entry into the national stage in the United States. Applicant respectfully petitions to revive the application in accordance with the provisions of 37 U.S.C. § 1.137(b) as the abandonment was unintentional.

The entire delay in filing the accompanying application, from the 30 month deadline of November 25, 2001 until the filing of this petition, was unintentional. On November 28, 2001, Attorneys for Applicant received a confirmation copy of instructions for filing the national phase application by the 30 month deadline of November 25, 2001. These instructions were dated NY02:359568.1

November 22, 2001, and Attorneys for Applicant were not expecting such instructions from Applicant.

A copy of the instructions dated November 22, 2001 had been transmitted to Attorneys for Applicant via facsimile on November 22, 2001. However the facsimile was misdirected by the facsimile department because no attorney's name appeared on the fax transmission. Specifically, the instructions were addressed "Dear Colleagues", which led to confusion in the facsimile department. Thus, the facsimile dated November 22, 2001 was improperly routed to another location, and Attorneys for Applicant first received the instructions from Applicant when the confirmation copy was received on November 28, 2001.

Accompanying this letter are: the application filed under 35 U.S.C. § 371; a filing fee of \$803.00 pursuant to 37 C.F.R. § 1.492(a); a Transmittal Letter; a Preliminary Amendment; a Combined Declaration and Power of Attorney; a Notice of Communication of International Application to Designated Offices; the International Search Report; a translation of the International Preliminary Examination Report; a Notification Concerning the Filing of Amendments of the Claims; a copy of the English translation of the claims as originally filed before amended under PCT Article 19; a copy of the English translation of the specification as originally filed; a Notification of Withdrawal of Priority Claim; a Verified Statement (Declaration) Claiming Small Entity Status; a Fee Transmittal Sheet; and the required fee for this Petition under 37 C.F.R. § 1.17(m) in the amount of \$640.00. A Terminal Disclaimer under 37 C.F.R. § 1.137(d) is not required, since this application was filed after June 8, 1995.


The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 02-4377.

A duplicate copy of this page is enclosed.

Applicant respectfully requests (i) that this promptly filed petition to revive the above-captioned application in accordance with 37 U.S.C. § 1.137(b) be granted, (ii) that the revived application be accorded the benefit of a claim of priority to parent application No. PCT/RU99/00174 and its filing date of May 25, 1999, and (iii) that the revived application be allowed to continue prosecution.

Respectfully submitted,

BAKER BOTTS, LLP



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Dated: December 13, 2001

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